

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ISMAEL E. AXTLE,

No. C 12-06404 YGR (PR)

Plaintiff,

**ORDER OF DISMISSAL WITHOUT
PREJUDICE**

vs.

COUNTY OF ALAMEDA, et al.,

Defendants.

Plaintiff filed the present *pro se* prisoner complaint under 42 U.S.C. § 1983. On November 26, 2013, mail directed to Plaintiff by the Court was returned to the Clerk of the Court with the notation that it was undeliverable because "[t]his inmate is no longer in . . . custody." To date, Plaintiff has not updated his address with the Court or submitted any further pleadings in this case.

Pursuant to Northern District Local Rule 3-11 a party proceeding *pro se* whose address changes while an action is pending must promptly file a notice of change of address specifying the new address. *See* L.R. 3-11(a). The Court may dismiss without prejudice a complaint when: (1) mail directed to the *pro se* party by the Court has been returned to the Court as not deliverable, and (2) the Court fails to receive within sixty days of this return a written communication from the *pro se* party indicating a current address. *See* L.R. 3-11(b).

More than sixty days have passed since the mail directed to Plaintiff by the Court was returned as undeliverable. The Court has not received a notice from Plaintiff of a new address. Accordingly, the complaint is DISMISSED without prejudice pursuant to Rule 3-11 of the Northern District Local Rules. The Clerk of the Court shall enter judgment, terminate all pending motions, and close the file.

IT IS SO ORDERED.

DATED: 1/21/14


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE